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BY: Don Marks Date: December 13, 2005

**MAIL STOP PETITION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee:	Wei-Su Chen et al.	:
		:
Patent No.:	6,734,074	: Issue Date: May 11, 2004
		:
Application No.:	10/057,009	: Filing Date: January 24, 2002
		:
Title:	Micro Fabrication with Vortex Shaped Spirally Topographically Tapered Spirally Patterned Conductor Layer and Method for Fabrication Thereof	: Attorney Docket No.: 681954-86 (034910038-US)
		:
		:

**PETITION UNDER 37 C.F.R. §1.182 REQUESTING DUPLICATE LETTERS PATENT**

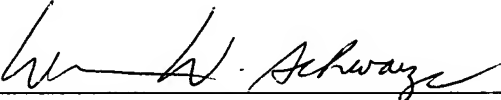
Applicants respectfully petition for the issuance of duplicate Letters Patent for the above-identified patent.

Attached is a Declaration of Jean Su-Chen Liao, a representative of the assignee, confirming that a diligent search was made to confirm that the original Letters Patent was never received. Also, attached is a Declaration of William W. Schwarze, attorney of record, confirming that a diligent search was made to recover the patent and to determine if it was ever sent to Patentee by prior attorneys of record.

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**DEC 23 2005**  
**OFFICE OF PETITIONS**

A check in the amount of \$400.00 is enclosed herewith, encompassing the petition fee under 37 CFR §1.17(f). The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017.

Respectfully submitted,

December 12, 2005 By:   
(Date) **WILLIAM W. SCHWARZE**  
Registration No. 25,918  
**AKIN GUMP STRAUSS HAUER & FELD LLP**  
One Commerce Square  
2005 Market Street, Suite 2200  
Philadelphia, PA 19103-7013  
**Direct Dial: 215-965-1270**  
Facsimile: 215-965-1210



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITION, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Donna Hicks

Date:

December 13, 2005

**MAIL STOP PETITION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

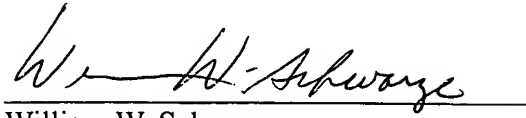
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Patent No.:	6,734,074	: Issue Date: May 11, 2004
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Application No.:	10/057,009	: Filing Date: January 24, 2002
		:
Title:	Micro Fabrication with Vortex	: Attorney Docket No.: 681954-86
	Shaped Spirally Topographically	: (034910038-US)
	Tapered Spirally Patterned	:
	Conductor Layer and Method	:
	for Fabrication Thereof	:
		:

**DECLARATION OF WILLIAM W. SCHWARZE**

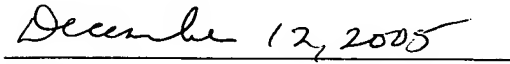
I, William W. Schwarze, as attorney of record, declare that it is believed that the above-identified patent has been lost and the circumstances are as follows:

1. U.S. Patent 6,734,074 issued on May 11, 2004, at which time Applicants were represented by Tung & Associates;
2. Responsibility for the above patent was transferred to the undersigned attorneys of record on or about April 11, 2005;
3. Upon learning from Applicants' assignee Industrial Technology Research Institute that they never received the original Letters Patent issued for this application, the undersigned reviewed the file in an effort to locate the original Letters Patent. The original Letters Patent was not in the file nor was there any copy of a letter to Applicants from their previous attorneys forwarding the original Letters Patent;
4. On August 30, 2005, the undersigned wrote to Tung & Associates inquiring whether they were in possession of the original Letters Patent. To date, Tung & Associates has not responded to our letter;

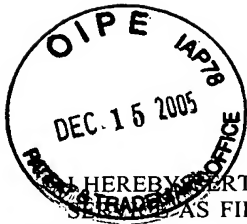
5. In view of the above, it is believed that the original Letters Patent has been lost and is unlikely to be recovered.

A handwritten signature in cursive script, appearing to read "W. W. Schwarze", written over a horizontal line.

William W. Schwarze

A handwritten date "December 12, 2005" written in cursive script over a horizontal line.

Date



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

*Dora Nicks*

Date:

*December 13, 2005*

**MAIL STOP PETITION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee:	Wei-Su Chen et al.	:
Patent No.:	6,734,074	: Issue Date: May 11, 2004
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**OFFICE OF PETITIONS**

**DECLARATION OF JEAN SU-CHEN LIAO**

I, Jean Su-Chen Liao, declare that I am employed by Industrial Technology Research Institute as a Manager of Patent Information and Management Department. I further declare that it is believed that the above-identified patent has been lost and the circumstances are as follows:

1. U.S. Patent 6,734,074 issued on May 11, 2004, at which time Applicants were represented by Tung & Associates;
2. I have reviewed our file in an effort to locate the original Letters Patent issued for this application. I can find no evidence that the original Letters Patent was ever sent to or received by Industrial Technology Research Institute at the time of issuance or at any time thereafter.
- 3.. In view of the above, it is believed that the original Letters Patent has been lost and is unlikely to be recovered.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application or any patent issuing thereon.

Jean S.C. Liao  
Jean Su-Chen Liao

November 8, 2005  
Date